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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Blakely Sokoloff Taylor & Zafman  
12400 Wilshire Blvd 7th Floor  
Los Angeles, CA 90025-1026

EXAMINER

WARREN, DAVID S

ART UNIT

PAPER NUMBER

2837

DATE MAILED: 11/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/869,231

Applicant(s)

MENARD, JEAN-PAUL

Examiner

David S. Warren

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2837

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) 6-13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Specification*

1. This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Harvey et al. (4360729). Regarding claim 1, Harvey shows the use of a module (fig. 7, section between 10g and 10h comprising "tracks" 138e – 138f) for acquiring geophysical signals, a casing (12) which houses a processing means (90, fig. 4), each casing being associated with a track (as defined by applicant, elements 138a – 138h are "tracks"), two cable sections (e.g., both ends of 20c), a connector (18, 22), an adapter (40) designed to be fixed to the casing (see fig. 1). Neither the applicant's specification nor drawings clearly distinguish the difference between an adapter "to effect an electrical link" and the "connector suitable for being coupled up to a complementary connector." The examiner is considering both the applicant's "connector" and "adapter" to merely be means to establish the cable connection. Therefore, the main body of the casing in Harvey's figure 1 is "materialized" by an adapter and a connector – or equivalently by two adapters (since the applicant does not clearly make a distinction). Furthermore, in

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Harvey's fig. 1, "the adapters and the cover are fixed together in a nonremovable manner so that the casing does not comprise any connector for coupling to other casings." Regarding claim 2, Harvey's module (e.g., between 10g and 10h) comprises at least two casings (elements 12 on each of 10g and 10h linked in series by cable segments with an adapter at both ends designed to be fixed to a casing and to effect an electrical link with the processing means housed in the casing. For the record, Harvey states that elements 10a – 10h are the same as element 10 of fig. 1 (see col. 4, paragraph 6). Regarding claim 3, each casing contains a rigid member (14) to secure on face of the adapters (40). This rigid member (14) would "take up a sizable part of the tensile loads" of the attached cable sections. Regarding claims 4 and 5, Harvey shows a rigid lug (un-numbered, but shown as the metal screw in the bottom-center of figure 1 – between elements 18 and 52). This lug (screw) is perpendicular to the cable sections adjacent to the casing and has an appropriate orifice.

#### ***Claim Objections***

4. Claims 6-13 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims 6 – 13 have not been further treated on the merits.

#### ***Conclusion***

5. For the record, the reference to Harvey may also meet the limitations of applicant's claims 6 – 13 (not explicitly considered on their merits). Specifically, Harvey shows a "leaktightness" means (16), a lug and platen, and means for connecting

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outside the connector. Spark arresters (or applicant's admission of equivalence as "overvoltage protectors") are used by Harvey to prevent spurious signals (col. 4, paragraph 1).


6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Oliver et al. (6091670) shows a cable connection means comprising digitizing signals and connectors and adapters.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David S. Warren whose telephone number is 703-308-5234. The examiner can normally be reached on M-F, 9 A.M. to 5:30 P.M..

8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Nappi can be reached on 703-308-3370. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9318 for regular communications and 703-872-9319 for After Final communications.

9. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

dsw  
November 14, 2002

  
ROBERT E. NAPPI  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800